

REMARKS

Applicants' representative acknowledges with gratitude the brief telephonic interview conducted on February 3, 2005 with Examiner Walezak, who was assigned this case after Examiner Prunner went on sick leave. Since Applicants had left several unreturned messages for Examiner Prunner before realizing she was unavailable and Examiner Walezak was not in a position to interview the case before the six month date, Examiner Walezak offered to contact Applicants' representative before issuing a final office action, if any.

Drawings and Specification

The drawings stand objected to because (1) in Fig. 2, the lead line for 22 is allegedly misdirected, (2) in Fig. 3, the small piece in front of 28 is unidentified and (3) with respect to Fig. 5(a), reference character 162 is not mentioned in the specification. Corrected drawing sheets in compliance with 37 C.F.R. § 1.121(d) are filed herewith.

The Office Action notes certain informalities in the specification and claims. The specification and claims have been amended to correct the alleged informalities.

35 U.S.C. § 112¶1 Rejections

Claims 15, 16, 40 and 41 stand rejected under 35 U.S.C. § 112¶1 because the specification does not allegedly enable a hinged platen. Applicant respectfully traverses the rejection, directing attention to Figs. 1-5 and original claims 15 and 40 themselves, which are part of the written description.

Claims 18 and 23 stand rejected under 35 U.S.C. § 112¶1 because the specification does not allegedly enable a sponge. Applicants respectfully submit that reference to "sponge-like material," at page 6 of the originally filed specification is sufficient to teach those of skill in the art how to make and use a sponge, as claimed in original claims 18 and 23.

Claim 24 stands rejected under 35 U.S.C. § 112¶1 because the specification does not allegedly enable a dry sheet. Applicant respectfully submits that the disclosure of a dry sheet enables one of skill in the art to make and use the dry sheet of original claim 24.

Claims 67-80 stand rejected because the specification does not allegedly enable “a handle including an opening and a valve assembly within the handle for releasing the fluid from the opening in the portion of the handle, the valve assembly including a valve that, in a closed position, covers the opening in the portion of the handle, wherein the valve is movable to an open position to uncover the opening.” Applicants respectfully direct the Examiner’s attention to Figs. 7A, 7B and 9, with accompanying description on page 12, lines 12-28, which describes in detail the valve assembly and its operation, as recited by claims 67-80. The subject matter of claims 67-80 is enabled.

35 U.S.C. § 112¶2 Rejections

Claims 76-79 and 81-92 stand rejected under 35 U.S.C. § 112¶2 as being indefinite because the limitations “the one or more openings,” recited by claim 76 and “hollow handle,” recited by claim 81 allegedly lack antecedent basis. Since it appears that the rejection of claims 76-79 is premised upon claim 75, Applicants have eliminated the word “the” and now recite “one or more openings positioned on the mop head.” Applicants have also removed the word “hollow” from claim 81. Applicants respectfully request that the Examiner withdraw the indefiniteness rejections.

35 U.S.C. § 102/103 Rejections

Claims 1-92 are pending. The only pending independent claims are 1, 22, 46, 67 and 80, each of which have been amended. Support for the positioning of the one or more openings of amended independent claim 1 can be found in the originally filed application at page 11, lines 24-29 and Figs. 3 and 4 and support for the positioning of the second actuator can be found at Fig. 1, reference character 20. Support for the amended independent claims 22 and 46 can be found in the originally filed specification at page 6, lines 16-26. Support for amended independent claim 67 can be found in the originally filed specification at page 11, lines 24-30 and page 13, line 20. Support for amended independent claim 80 can be found in the originally filed specification at page 5, lines 14-21 and Fig. 2.

Applicants address the rejections to each of the independent claims and their dependents in turn below.

A. Claims 1-21

Independent claim 1 and dependent claims 3, 4, 6-9, 15 and 18 stand rejected under 35 U.S.C. s 102(b) as being anticipated by U.S. Pat. No. 3,552,870 to Brooks (hereinafter “Brooks”). Claim 2 stands rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 2,855,620 to Jones (hereinafter “Jones”). Claim 5 stands rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 2,551,776 to Waltz. Claims 10, 11, 13 and 14 stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 2,919,457 to Cole. Claims 10-12 and 14 stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 4,852,210 to Krajicek. Claim 16 stands rejected stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 4,945,599 to Flynn (hereinafter “Flynn”). Claim 17 stands rejected stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 5,979,004 to Wilson (hereinafter “Wilson”). Claims 19-21 stand rejected under stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 3,402,009 to Sawyer (hereinafter “Sawyer”).

Applicants respectfully submit that Brooks neither teaches nor suggests a butterfly mop comprising a one or more openings “positioned on the mop head above a bottom surface of the cleaning member” or a second actuator to release fluid “positioned on the handle above the first actuator,” as recited by amended independent claim 1. Thus, a user can conveniently deploy the second actuator of the claimed invention to release cleaning fluid, without the need to pass the fluid through the cleaning member, as in Brooks. Claim 1, therefore, is allowable over Brooks. Since dependent claims 2-21 depend from allowable claim 1 or an intervening base claim, these claims are similarly allowable.

B. Claims 22-45

Independent claim 22 and dependent claims 23, 25, 27, 31-36 and 28-40 stand rejected under 35 U.S.C. s 102(b) as being anticipated by Brooks. Claim 24 stands rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of U.S. Pat. No. 3,199,136 to George. Claims 30 and 43-45 stand rejected under 35 U.S.C. s 103 as being unpatentable over Brooks in view of Sawyer. Claim 37 stands rejected under 35

U.S.C. s 103 over Brooks in view of Jones. Claims 26, 28, 29 and 41 stand rejected under 35 U.S.C. s 103 over Brooks in view of Flynn. Claim 42 stands rejected under 35 U.S.C. s 103 over Brooks in view of Wilson.

Applicant respectfully submits that Brooks neither teaches nor suggests “a second cleaning member adapted to be releasably secured to directly to the mop head in the absence of the first cleaning member and over the first cleaning member when the first cleaning member is secured to the mop head,” as recited by amended independent claim 22. The Office Action points to a section of Brooks – col. 1, lines 43-45 – disclosing a replacement cleaning member, with no indication that it can be secured over the first cleaning member when the first cleaning member is secured to the mop head. That is, there is no teaching of the dual capability associated with the second cleaning member of independent claim 22. Accordingly, independent claim 22 and all claims dependent thereon are allowable.

C. Claims 46-66

Independent claim 46 and dependent claims 56-62 and 64-66 stand rejected under 35 U.S.C. s 103 as being unpatentable over Flynn in view of Sawyer. Claims 47-52, 54 and 55 stand rejected under 35 U.S.C. s 103 as being unpatentable over Flynn in view of Sawyer, as applied to claims 46, 56-62 and 64-66, and further in view of Brooks. Claim 53 stands rejected under 35 U.S.C. s 103 as being unpatentable over Flynn in view of Sawyer and Brooks. Claim 53 stands rejected under 35 U.S.C. s 103 as being unpatentable over Flynn in view of Sawyer, as applied to claims 46, 56-62 and 64-66, and further in view of Wilson.

Applicants respectfully submit that neither Flynn nor Sawyer teach or suggest a “pre-moistened cleaning member adapted to be secured directly to the mop head in the absence of a sponge-like material and a dry cleaning member,” as recited by amended independent claim 46. The Office Action admits that Flynn does not teach a pre-moistened cleaning member. And Sawyer only teaches a pre-moistened cleaning member affixed to a sponge. Thus, independent claim 46 and all claims dependent thereon are allowable.

D. Claims 67-79

Independent claim 67 and dependent claims 68-71, 76, 77 and 79 stand rejected under 35 U.S.C. s 102(b) as being anticipated by Fodrocy. Claims 67 and 75-78 stand rejected under 35 U.S.C. s 102(b) as being anticipated by U.S. Pat. No. 438,218 to Ziv et. al. (hereinafter “Ziv”). Claims 67, 70-72 and 76 stand rejected under 35 U.S.C. s 102(b) as being anticipated by U.S. Pat. No. 2,855,620 to Jones (hereinafter “Jones”). Claim 73 stands rejected under 35 U.S.C. s 103 as being unpatentable over Fodrocy in view of Zorzo. Claims 74, 75 and 78 stand rejected under 35 U.S.C. s 103 as being unpatentable over Fodrocy in view of Huang.

Not one of Fodrocy, Ziv or Jones teaches or suggests “one or more apertures positioned on a front portion of the mop head and above a bottom surface of the cleaning member, wherein, during use, the one or more apertures release the fluid in the form of a spray or stream,” as recited by amended independent claim 67. Under this construction, the fluid is conveniently released from the mop ahead of the cleaning member and, in one embodiment, the apertures may be angled for maximum coverage of the surface to be cleaned.

E. Claims 80-92

Independent claim 80 stands rejected under 35 U.S.C. s 103 as being unpatentable over Fodrocy in view of Brooks. Although the Office Action does not reject claim 80 in view of additional art, claim 81, which depends from claim 80 is rejected under 35 U.S.C. s 102(b) as being anticipated by each of Istrico and Jones. Applicants are unclear whether these rejections were also intended to apply to claim 80, but will nonetheless, for purposes of this response, address them herein. Claims 81-83, 90 and 92 stand rejected under 35 U.S.C. s 102(b) as being anticipated by U.S. Pat. No. 1,618,930 to Istrico (hereinafter “Istrico”). Claims 81-87, 90 and 92 stand rejected under 35 U.S.C. s 102(b) as being anticipated by Jones. Claims 88 and 89 stand rejected under 35 U.S.C. s 103 as being unpatentable over Jones in view of Zorzo. Claim 91 stands rejected under 35 U.S.C. s 103 as being unpatentable over Jones in view of Brooks. Applicants respectfully submit that the prior art cited against claim 80 does not teach or suggest “opposing plates rotatably secured about a common pivot axis to converge pivotally toward one another, wherein convergence of the opposing plates compresses a portion of the cleaning

member,” as recited by amended independent claim 80. Thus, claim 80 and all claims dependent thereon are allowable.


CONCLUSION

In view of the foregoing, Applicant respectfully submits that all pending claims (1-92) are in condition for allowance. Favorable action is earnestly solicited.

Applicants’ representative respectfully requests that the Examiner call him directly at the telephone number below if a final office action is anticipated.

Respectfully submitted,

February 28, 2005

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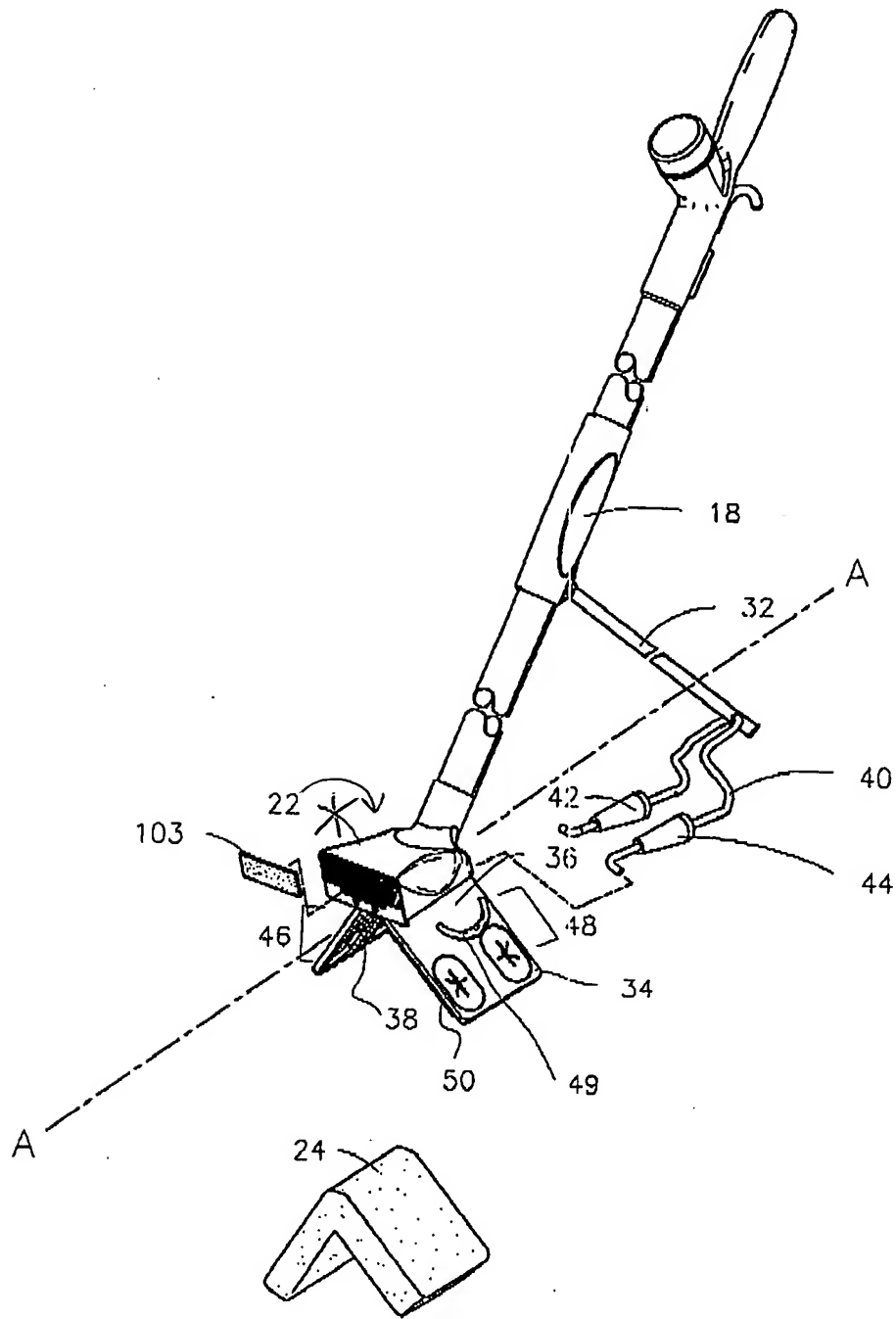
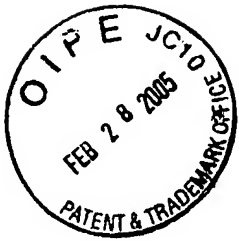


FIG. 2

REPLACEMENT SHEET

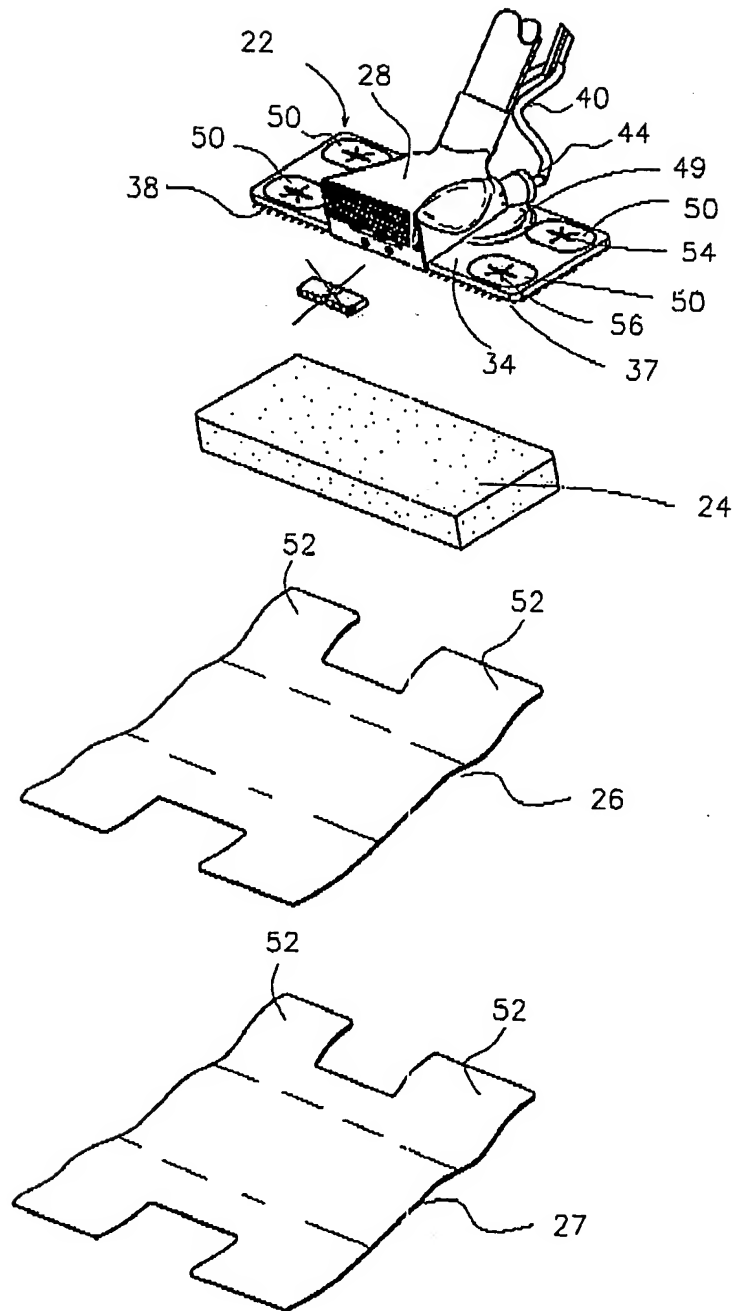


FIG. 3

REPLACEMENT SHEET

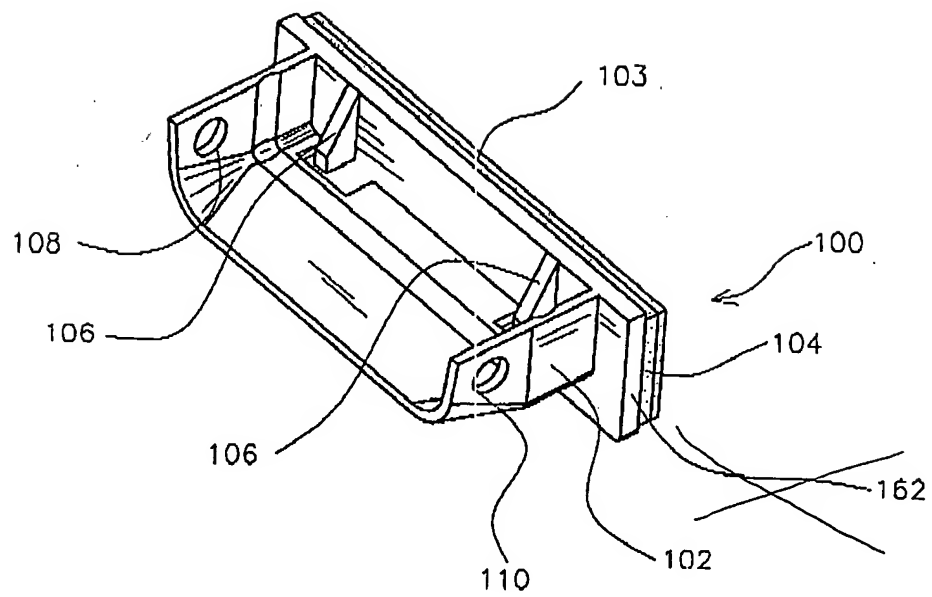


FIG. 5A